

# Order

Michigan Supreme Court  
Lansing, Michigan

April 26, 2006

Clifford W. Taylor,  
Chief Justice

130299

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

JOSEPH M. HENDERSON,  
Plaintiff-Appellant,

v

SC: 130299  
COA: 255187  
Saginaw CC: 03-047916-NO

HAMMER BUILDING AND RESTORATION,  
INC.,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the December 1, 2005 judgment of the Court of Appeals is considered, and it is DENIED. Plaintiff has failed to allege a viable claim under the “common work area” doctrine, for the reasons stated in footnote one of the Court of Appeals decision.

CAVANAGH and KELLY, JJ., would grant leave to appeal.



t0419

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 26, 2006

*Corbin R. Davis*

Clerk